

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EATON CORPORATION,

Plaintiff,

Case No. 03-74844

vs.

HON. GEORGE CARAM STEEH

ZF MERITOR LLC, ARVINMERITOR,
INC. and ZF FRIEDRICHSHAFEN AG,

Defendants.

_____ /

ORDER

1. GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO BIFURCATE LIABILITY FROM DAMAGES AND WILLFULNESS [DOC. 294];
2. GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION TO EXCLUDE EVIDENCE PURSUANT TO THE LAW-OF-THE-CASE DOCTRINE [DOC. 295]; AND
3. DENYING PLAINTIFF'S MOTION TO RE-DEPOSE ANTHONY SAYMAN [DOC. 301]

This matter has come before the court on various pre-trial motions filed by both parties in this case. The court heard oral argument by the parties on July 9, 2008.

Now, therefore, for the reasons stated on the record,

IT IS HEREBY ORDERED that defendants' motion to bifurcate liability from damages and willfulness at trial is DENIED as to willfulness and GRANTED as to damages.

IT IS HEREBY FURTHER ORDERED that defendants' motion to exclude evidence pursuant to the law-of-the-case doctrine is GRANTED IN PART and DENIED

IN PART.

IT IS HEREBY FURTHER ORDERED that plaintiff's motion to re-depose Anthony Sayman is DENIED.

It is so ordered.

Dated: July 10, 2008

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 10, 2008, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk